

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MELINDA DAUBENSCHMIDT,

Plaintiff,

v.

No. CIV-12-1222 JCH/LAM

CAROLYN W. COLVIN, Acting Commissioner
of the Social Security Administration,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on Magistrate Judge Lourdes A. Martínez' *Proposed Findings and Recommended Disposition* (Doc. 32) filed on August 17, 2015, which recommended granting Plaintiff's *Motion for Order Authorizing Attorney Fees Pursuant to 42 U.S.C. § 406([b]) and Supporting Memorandum* (Doc. 29). No party has filed objections to the *Proposed Findings and Recommended Disposition* (Doc. 32) and the deadline for filing objections has passed. The Court has determined that it will adopt the *Proposed Findings and Recommended Disposition* (Doc. 32) and grant Plaintiff's *Motion for Order Authorizing Attorney Fees Pursuant to 42 U.S.C. § 406([b]) and Supporting Memorandum* (Doc. 29).


IT IS THEREFORE ORDERED that the *Proposed Findings and Recommended Disposition* (Doc. 32) are ADOPTED by the Court.

IT IS FURTHER ORDERED that Plaintiff's *Motion for Order Authorizing Attorney Fees Pursuant to 42 U.S.C. § 406([b]) and Supporting Memorandum* (Doc. 29) is GRANTED

and Plaintiff's counsel is awarded attorney fees in this matter in the amount of **\$19,277.25** pursuant to 42 U.S.C. § 406(b).

IT IS FURTHER ORDERED that, upon payment of the Section 406(b) fee, Plaintiff's counsel shall promptly refund to Plaintiff the attorney's fees previously awarded in this matter pursuant to the Equal Access to Justice Act in the amount of **\$5,562.12**.

IT IS SO ORDERED.



HONORABLE JUDITH C. HERRERA
UNITED STATES DISTRICT JUDGE